



Changes, Mitigation, and Exceptions

Stakeholder Working Group Meeting Agenda

June 21, 2022, 9:00 AM to 3:00 PM
DNRC Headquarters – The Montana Room
Helena, MT

Meeting Objectives:

- Discuss ideas for improving the permit and change process
 - Identify areas of consensus
 - Identify areas needing further clarification and discussion
- Draft recommendations for the permit and change process
- Build further understanding and awareness around mitigation
 - Clarify questions on current mitigation tools and plans
- Explore ways to build consensus and find common ground
- Continue to build out processes to support the SWG's work
- Gather SWG input and guidance on priorities and next steps

9:00 AM **Welcome, Introductions, and Overview of Agenda**

9:10 AM **Update on small working groups**

9:20 AM **Presentation: Permit and Change Process, Objections and Hearings**

- ***Read document provided ahead of time – we will not be reading through it during the meeting***
- Overview of Suggested Process based on feedback from the last SWG meeting and sub-working group with DNRC in between meetings
- Q&A

Discussion: Permit and Change Process, Objections and Hearings

- Discussion regarding ideas presented by sub-working group
- Identify additional ideas
- Identify areas of consensus
- Determine areas needing further clarification and discussion

10:30 AM **Break**

10:45 AM **Discussion Continued: Permit and Change Process, Objections and Hearings**

11:30 AM	Draft Recommendations on Permit and Change Process
Noon	Lunch
12:45 PM	Continued - Draft Recommendations on Permit and Change Process
1:15 PM	Public Comment (time subject to change)
1:30 PM	<p>SWG Discussion: Mitigation – Framing Question #2</p> <ul style="list-style-type: none"> • Q&A – existing mitigation tools and examples of mitigation plans <ul style="list-style-type: none"> ○ <i>Read document provided ahead of time – we will not be reading through it during the meeting</i> • Work through the Gallatin example to identify the barriers and additional tools/resources needing for mitigation • Review Framing Question #2 <p>FRAMING QUESTION #2: MITIGATION AND MARKETING FOR MITIGATION FRAMEWORK</p> <p>Goal: Design and develop an effective mitigation and marketing for mitigation framework to allow for new development and senior water rights protection.</p> <ol style="list-style-type: none"> a. What are the existing tools in statute, rule, or policy for mitigation, mitigation banking, and marketing for mitigation (e.g., finding willing sellers, affordable mitigation)? <ul style="list-style-type: none"> ○ How do we create incentives and make existing tools more workable? ○ How do we provide flexibility in the timing & location of impact to allow for greater mitigation opportunities? ○ Is additional flexibility in storage rules or policy needed to allow for development and mitigation (high spring flows, aquifer recharge, aquifer recharge storage and recovery)? ○ Does the mitigation process need to be simplified? b. What are the lessons learned from existing mitigation projects? c. What additional statutes, regulations, and/or policies are needed to allow for innovations? What are other solutions beyond mitigation/marketing for mitigation would help meet future water needs? d. Should the State consider a pilot approach to exploring potential mitigation options? e. Should the change process for potential mitigation water have a more streamlined change process? f. If and how does monitoring and reporting need to be included?
2:45 PM	<p>Summary of the Day and Next Steps</p> <ul style="list-style-type: none"> • Determine discussion focus for next meeting • Determine information needed from DNRC for next meeting
3:00 PM	Adjourn